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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91213383
Party	Defendant Allmax Nutrition Inc.
Correspondence Address	SEAN L SWEENEY TREDECIM LLC 91 J AUBURN STREET #1133 PORTLAND, ME 04103-2103 UNITED STATES sean@tredecimlaw.com
Submission	Answer
Filer's Name	Sean L. Sweeney
Filer's e-mail	sean@tredecimlaw.com
Signature	/Sean L. Sweeney/
Date	12/24/2013
Attachments	2013-12-24 Allmax Answer.pdf(83136 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Universal Protein Supplements Corporation,

Opposer,

v.

Allmax Nutrition Inc.,

Applicant.

Serial No. **85/925,414**

Opposition No. **91213383**

Mark: **TRAIN LIKE AN ANIMAL**

Publication Date: **October 8, 2013**

ANSWER TO NOTICE OF OPPOSITION

Allmax Nutrition Inc., hereinafter Applicant, by its undersigned counsel, answers the Notice of Opposition of Opposer, Universal Protein Supplements Corporation, as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph of the opposition and, therefore, Applicant denies those allegations.

2. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of the first sentence of this paragraph of the opposition and, therefore, Applicant denies those allegations. Applicant admits the factual assertions concerning the mark identified in the second sentence of this paragraph of the opposition to the extent the records of the U.S. Patent and Trademark Office and Trademark Trial and Appeal Board substantiate the facts claimed.

3. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of the first sentence of this paragraph of the opposition and, therefore, Applicant denies those allegations. Applicant admits the factual assertions concerning the marks

identified in the second sentence of this paragraph of the opposition to the extent the records of the U.S. Patent and Trademark Office and Trademark Trial and Appeal Board substantiate the facts claimed.

4. Denied.

5. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations of this paragraph of the opposition and, therefore, Applicant denies those allegations.

6. Denied.

7. Denied.

8. Denied.

9. Denied.

AFFIRMATIVE DEFENSES

10. There is no likelihood of confusion, mistake or deception between Applicant's applied-for TRAIN LIKE AN ANIMAL mark and Opposer's trademarks.

WHEREFORE, Applicant requests that the notice of opposition be dismissed and that Applicant's TRAIN LIKE AN ANIMAL mark be registered on the Principal Register.

Respectfully Submitted,

Dated: December 24, 2013

/Sean L. Sweeney/

Sean L. Sweeney
TREDECIM LLC
P.O. Box 9739
Portland, ME 04104
(207) 221-6100
sean@tredecimlaw.com

Attorney for the Applicant

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing **Answer To Notice Of Opposition** has been served on counsel of record for opposer, Universal Protein Supplements Corporation, by U.S. First Class Mail, postage pre-paid, to:

Maureen Beacom Gorman
MARSHALL, GERSTEIN & BORUN LLP
233 South Wacker Drive, Suite 6300
Chicago, IL 60606
(312) 474-6300

Dated: December 24, 2013

/ Sean L. Sweeney/

Sean L. Sweeney